

10/534293

JC14 Rec'd PCT/PTO 09 MAY 2005

Express Mail Label No. EV724515455US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Magerl et al.

**Application No.:** Not Yet Known

**Filed:** Not Yet Known

For: IMPLANT USED IN PROCEDURES  
FOR STIFFENING THE VERTEBRAL  
COLUMN

Group: Not Yet Known

Examiner: Not Yet Known

Our File: LUD-PT015  
(PA1144+45US)

Date: May 9, 2005

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56,  
Applicants wish to bring to the Examiner's attention the material cited on the enclosed  
PTO-1449 form. Copies of the cited documents are enclosed.

Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the cited U.S. publications and/or  
patent documents have not been included.

The references cited in this Information Disclosure Statement were listed in an  
International Search Report, copy enclosed, in the corresponding International  
Application.

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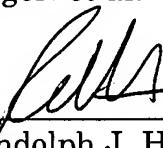
Applicant: Magerl et al.  
Application No.: Not Yet Known  
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It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Magerl et al.

By

  
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RJH/dmm  
Enclosures

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Sheet 1 of 1

| FORM PTO-1449<br><br>U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT<br><br>(Use several sheets if necessary) |    |                 | ATTY. DOCKET NO.<br>LUD-PT015 | SERIAL NO.<br>Not Yet Known<br><br>10/534293 |       |          |                            |
|--|----|-----------------|-------------------------------|--|-------|----------|----------------------------|
|  |    |                 | APPLICANT<br>Magerl et al.    |  |       |          |                            |
|  |    |                 | FILING DATE<br>Not Yet Known  | GROUP<br>Not Yet Known                       |       |          |                            |
| U.S. PATENT DOCUMENTS  |    |                 |                               |  |       |          |                            |
| EXAMINER INITIAL   |    | DOCUMENT NUMBER | DATE                          | NAME   | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|  | AA | 5,236,460       | 08/1993                       | Forest C. Barber                             |       |          |                            |
|  | AB | 6,352,556       | 03/2002                       | Kretschmer et al.                            |       |          |                            |
|  |    |                 |                               |  |       |          |                            |
| FOREIGN PATENT DOCUMENTS   |    |                 |                               |  |       |          |                            |
|  |    | DOCUMENT NUMBER | DATE                          | COUNTRY                                      | CLASS | SUBCLASS | TRANSLATION<br>YES      NO |
|  | AC | 30 23 353       | 04/1981                       | Germany                                      |       |          | X                          |
|  | AD | WO 00/74606     | 12/2000                       | PCT  |       |          | X                          |
|  |    |                 |                               |  |       |          |                            |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)   |    |                 |                               |  |       |          |                            |
|  |    |                 |                               |  |       |          |                            |
|  |    |                 |                               |  |       |          |                            |
|  |    |                 |                               |  |       |          |                            |

|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.